

ILLINOIS POLLUTION CONTROL BOARD
May 6, 2021

IN THE MATTER OF:)
)
STANDARDS FOR THE DISPOSAL OF) R 20-19(A)
COAL COMBUSTION RESIDUALS IN) (Rulemaking – Land)
SURFACE IMPOUNDMENTS: PROPOSED)
NEW 35 ILL. ADM. CODE 845

HEARING OFFICER ORDER

On February 4, 2021, the Board opened this sub-docket and identified four distinct issues that merited further exploration. Standards for the Disposal of Coal Combustion Residuals in Surface Impoundments: Proposed New 35 Ill. Adm. Code 845, R20-19 (Feb. 4, 2021) slip op. at 105-106. The Board incorporated the documents in R20-19 into this Sub-docket A. The Board today seeks comments, information, and specific proposals on rule language from any interested party on these four issues.

To facilitate the discussion regarding these four issues, a public comment period will be opened. The public comment period will last for 90 days and will end on August 6, 2021. Any interested person is invited to provide comment limited to the four issues listed below. Comments and any related exhibits will be accepted until August 6, 2021, after which the Board will determine whether to proceed to first notice.

The Board today seeks comment from any interested person on the following issues:

1. **Historic, unconsolidated coal ash fills in the State.**

The Board would like the comments to provide information on historic, unconsolidated fills, including the number of fills in the State, the location of the fills, whether the fills are located at active or inactive power stations, ownership status of the fills, potential groundwater issues, and regulatory approaches to manage or close the fills along with specific rule language to that effect.

2. **The use of temporary storage piles of coal ash, including time and volume limits.**

The Board invites comments on whether to revise the definitions of “CCR storage pile” and “temporary accumulation” under Section 845.120 by addressing the following issues: limitations on duration of storage and quantity of CCR in the storage piles, any additional measures necessary for storage piles to ensure protection against ground and surface water contamination, and criteria for the owner or operator to demonstrate that the storage of CCR is temporary.

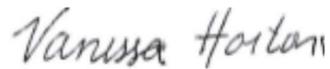
3. **Fugitive dust monitoring plans for areas neighboring CCR surface impoundments.**

The Board invites comments on air monitoring plans to measure fugitive dust in the vicinity of CCR surface impoundments, including monitoring instrumentation, size of particles measured (PM10, PM2.5, etc.), cost of monitoring, monitoring period, linking monitoring results to mitigation measures, impact of fugitive dust on facility employees, impact of fugitive dust on surrounding residents, and whether fugitive dust emissions are increased during closure of CCR surface impoundments.

4. **The use of environmental justice screening tools.**

The Board invites comments on the application of environmental justice tools, including USEPA's EJSCREEN, that rely on both environmental and demographic indicators to identify areas of environmental justice concern under Part 845.

IT IS SO ORDERED.



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